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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,) Case No.: 2:19-cr-00278-JCM-VCF
Plaintiff,)
vs.) STIPULATION TO CONTINUE THE
HIEN HUU NGUYEN,) CHANGE OF PLEA DATE
Defendant.) (Third Request)
)
)

IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A. TRUTANICH, United States Attorney; CHRISTOPHER LIN, Assistant United States Attorney, counsel for the United States of America and JASON MARGOLIS, Esq., counsel for defendant NGUYEN:

THAT THE CHANGE OF PLEA CURRENTLY SCHEDULED FOR May 29, 2020, at 11:00 a.m. be continued and reset no earlier than 30 days if convenient for the Court.

1. On March 16, 2020, the Chief Judge of the U.S. District Court for the District of Nevada issued Temporary General Order 2020-03, which found that due to the outbreak of the coronavirus disease 2019 (“COVID-2019”) in the District of Nevada, the declaration by the Governor of the State of Nevada of a public health emergency

1 due to the spread of COVID-19 in Nevada, and the declaration of local emergencies
2 by local governments due to COVID-19, including Clark County, the Court has
3 sustained “reduced ability to obtain an adequate spectrum of jurors,” and it noted the
4 effects of public health recommendations, including “social distancing measures.”
5 General Order 2020-03 accordingly continued all civil and criminal trials until April
6 10, 2020, pending further order of the Court and found that “the ends of justice are
7 best served by ordering the continuances, which outweighs the best interests of the
8 public and any defendant’s right to a speedy trial under 18 U.S.C. § 3161(h)(7)(A).”

- 9 2. On March 19, 2020, the Chief Judge of the U.S. District Court for the District of
10 Nevada issued Temporary General Order 2020-04 (collectively with General Order
11 2020-03, “the General Orders”), which noted that “the COVID-19 pandemic has
12 continued to spread,” resulting in the need for “more aggressive social-distancing
13 measures.” The Court noted further that, “[o]n March 17, 2020, the Governor of the
14 State of Nevada ordered the closure of many business establishments and strongly
15 encouraged all citizens to stay home.” Accordingly, the Court ordered the temporary
16 closure of the Clerk’s office, and implemented other changes, including “striving to
17 eliminate in-person court appearances.” In the event any hearing must go forward,
18 the Court will conduct the hearing via video or teleconference. The Court will vacate
19 or amend General Order 2020-04 no later than April 30, 2020.

- 20 3. On March 30, 2020, TGO 2020-05 (collectively with TGO 2020-03 and TGO 2020-
21 04), noting that “the Judicial Conference of the United States found that emergency
22 conditions due to the national emergency declared by the President have affected and
23 will materially affect the functioning of the federal courts generally.” TGO 2020-05
24 further stated that felony pleas and sentencing could not be conducted in person

1 without “seriously jeopardizing public health and safety” and should only be held via
2 video conference if postponing the proceedings would cause “serious harm to the
3 interests of justice.” This authorization is effective for 90 days.

4. On April 9, 2020, the Chief Judge of the U.S. District Court for the District of Nevada
5 issued an Amendment to the Temporary General Order 2020-03 further continuing
6 criminal trials past April 10, 2020.

7 In light of the ongoing health concerns surrounding the COVID-19 virus, counsel for
8 defendant and counsel for the Government agree to this continuance. This continuance is
9 not sought for the purpose of delay but to adhere to recommendations related to prevention
10 and spread of COVID-19. Further, counsel for the defendant agrees that this delay will not
11 cause serious harm to the interest of justice and the defendant agrees. No prejudice to the
12 defendant will occur because of this continuance. The defendant agrees to this continuance.

13 This is the third request for a continuance of the change of plea date

14 DATED this 20th day of May, 2020.
15

16 NICHOLAS A. TRUTANICH
17 United States Attorney

18 /s/ Christopher Lin
19 CHRISTOPHER LIN
Assistant United States Attorney

20 /s/ Jason Margolis
21 Jason Margolis, Esq.
Counsel for Defendant NGUYEN
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Based on the stipulation of counsel, the Court finds that good cause exists to continue the change of plea date currently set for May 29, 2020 at 11:00 a.m., to July 2, 2020 at 10:00 a.m.

DATED May 22, 2020.

Xem C. Mahan
UNITED STATES DISTRICT JUDGE